

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KYLE BRANDON RICHARDS,

Plaintiff,

v.

CASE NO. 2:12-CV-10101
HONORABLE ARTHUR J. TARNOW

SPAIN, et al.,

Defendants.

ORDER DENYING PLAINTIFF'S MOTION FOR RECONSIDERATION

This matter is before the Court on Plaintiff's motion for reconsideration concerning the Court's denial of his application to proceed without prepayment of the filing fee, dismissal of his pro se civil rights complaint, and determination that an appeal cannot be taken in good faith. The Court ruled that Plaintiff is a three-striker who is not allowed to proceed without prepayment of the filing fee pursuant to 28 U.S.C. § 1915(g).

Having reviewed the matter, the Court finds that Plaintiff is not entitled to reconsideration of this matter, further investigation, or any other action by this Court. The Court did not err in denying leave to proceed without prepayment of the filing fee or in dismissing the complaint. A motion for reconsideration which presents issues already ruled upon by the Court, either expressly or by reasonable implication, will not be granted. *See Hence v. Smith*, 49 F. Supp. 2d 547, 550 (E.D. Mich. 1999); *Czajkowski v. Tindall & Assoc., P.C.*, 967 F. Supp. 951, 952 (E.D. Mich. 1997). Plaintiff has not met his burden of showing a palpable defect by which the Court has been misled or his burden of showing that a different disposition must result from a correction thereof as required

by Local Rule 7.1(h)(3). Accordingly, the Court **DENIES** Plaintiff's motion. This case is closed.

No further pleadings should be filed in this matter.

IT IS SO ORDERED.

S/Arthur J. Tarnow
Arthur J. Tarnow
Senior United States District Judge

Dated: March 19, 2012

I hereby certify that a copy of the foregoing document was served upon parties/counsel of record on March 19, 2012, by electronic and/or ordinary mail.

S/Catherine A. Pickles
Judicial Assistant